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Attorneys for Defendants

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

KELLY STANDORF, a single woman,

No.

Plaintiff,

vs.

NOTICE OF REMOVAL

CHRISTIE’S CABARET, an Arizona
corporation; STEVE AND JANE DOE
COOPER, husband and wife; and CINDY
and JOHN DOE COOPER, husband and
wife,

Defendants.

**TO: THE HONORABLE JUDGES AND CLERK OF THE UNITED STATES
DISTRICT COURT FOR THE DISTRICT OF ARIZONA, PHOENIX,
ARIZONA**

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1331, 1441, and 1446,
and LRCiv 3.6, Defendant Christie’s Cabaret of Glendale, LLC (“Christie’s Cabaret”) removes the state court civil action originally commenced in the Superior Court of the State of Arizona, County of Maricopa, entitled *Kelly Standorf v. Christie’s Cabaret, et al.*, Case No. CV2019-055472 (the “State Court Action”) to this Court. In support of removal, Defendant Christie’s Cabaret states as follows:

1 1. Plaintiff filed the State Court Action on June 10, 2019, asserting a claim
2 under the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 203 *et seq.*, and a state law
3 wage claim against all Defendants.

4 2. By virtue of the FLSA claim, this Court has original jurisdiction over this
5 action pursuant to 28 U.S.C. § 1331, and removal of the action to this Court is proper
6 under 28 U.S.C.A. § 1441(a) and (c).

7 3. Under 28 U.S.C. § 1367, this Court has supplemental jurisdiction over the
8 state law wage claim in the State Court Action because that claim is so related to the
9 FLSA claim that they form a part of the same case or controversy.

10 4. Plaintiff served Defendant Christie’s Cabaret via its statutory agent in
11 Phoenix, Arizona on June 12, 2019.

12 5. To date, Plaintiff has not served Defendant Steve Cooper and Cindy
13 Cooper.

14 6. Under 28 U.S.C. § 1446(b)(2)(A), all properly joined and served
15 defendants, *i.e.*, Defendant Christie’s Cabaret, consent to this removal.

16 7. No further proceedings have occurred in the State Court Action.

17 8. There is no diversity of citizenship, as Plaintiff and all Defendants are
18 citizens of Arizona.

19 9. This Notice is timely filed with this Court within 30 days after service on
20 Defendant Christie’s Cabaret.

21 10. Under 28 U.S.C. § 1446(a) and LRCiv 3.6, true and complete copies of all
22 process, pleadings, and orders served upon Defendant Christie’s Cabaret are attached to
23 this Notice as **Exhibit A**, and the most recent version of the docket from the State Court
24 Action is attached as **Exhibit B**.

25 11. Under 28 U.S.C. § 1446 and LRCiv 3.6(a), Defendant Christie’s Cabaret is
26 concurrently giving written notice of the removal of the State Court Action to Plaintiff
27 and is filing a copy of this Notice of Removal with the Clerk of the Maricopa County
28 Superior Court, a copy of which is attached to this Notice as **Exhibit C**.

1 WHEREFORE, Defendant Christie's Cabaret hereby removes the State Court
2 Action to this Court, and as such, no further proceedings shall be had in the Superior
3 Court of the State of Arizona in and for the County of Maricopa.

4 **DATED** this 12th day of July, 2019.



7 By: /s/ William M. Fischbach
8 William M. Fischbach
9 Amy D. Sells
10 Marcos A. Tapia
11 Seventh Floor Camelback Esplanade II
12 2525 East Camelback Road
13 Phoenix, Arizona 85016-4237
14 *Attorneys for Defendants*

15 The foregoing has been e-filed
16 this 12th day of July, 2019.

17 **COPY** of the foregoing mailed
18 this 12th day of July, 2019 to:

19 Troy P. Foster
20 The Foster Group, PLLC
21 7301 N. 16th Street, Suite 102
22 Phoenix, Arizona 85020
23 *Attorneys for Plaintiff*

24 By: /s/ Jessica Cebalt
25
26
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